

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA (PHILADELPHIA)**

In Re:	:	
JESSE DAVIS AND EBONY DAVIS	:	
	:	:CHAPTER 13
Debtor.	:	:CASE NO. 20-13888-AMC
<hr style="width: 40%; margin-left: 0;"/>		

**NOTICE OF FORBEARANCE AGREEMENT**

U.S. Bank Trust National Association, as Trustee of BKPL-EG Holding Trust, (hereinafter "Creditor"), secured creditor of the above-entitled Debtor(s), hereby provides notice that Creditor and Debtor(s) have entered into a forbearance agreement due to the impact of COVID-19. The forbearance agreement relates to the loan ending in 5854, hereinafter "Loan," which is secured by the real property located at 77 Candee Road, Naugatuck, CT 06770. Under the forbearance agreement, payments due under the loan are suspended beginning with the payment due on February 1, 2021, through and including the payment due October 1, 2021. This Notice does not relieve the Debtor(s) of the responsibility to amend or modify the plan of reorganization to reflect the forbearance agreement, if required.

Dated: August 12, 2021

ROMANO GARUBO & ARGENTIERI

/s/EMMANUEL J. ARGENTIERI  
EMMANUEL J. ARGENTIERI

ROMANO GARUBO & ARGENTIERI  
Emmanuel J. Argentieri, Esquire/59264  
52 Newton Avenue, P.O. Box 456  
Woodbury, New Jersey 08096  
(856) 384-1515  
[eargentieri@rgalegal.com](mailto:eargentieri@rgalegal.com)



P.O. Box 55004  
Irvine, CA 92619  
888.504.6700 toll free  
949.341.2242 fax

www.rushmorelm.com

Address Service Requested

July 30, 2021

Jesse Davis  
Ebony Davis  
404 Cadwalader Cir  
Exton PA 19341 0000  
\*

Loan Number:  
Property Address: 77 Candee Rd  
Naugatuck CT 06770

Dear Jesse Davis :  
Dear Ebony Davis :

Thank you for contacting us about your mortgage. Based on a careful review of the information you provided to us, you have been approved for a Forbearance Plan. This Forbearance Plan is a temporary suspension of your mortgage payments intended to allow you the time and flexibility to manage the financial challenges affecting your ability to pay your mortgage.

What is a Forbearance Plan?

A forbearance plan is an agreement that allows borrowers experiencing a temporary hardship to make a reduced mortgage payment or no mortgage payment at all during the plans term. Under this forbearance plan, we have suspended your post-petition payment, as more fully described below, for 9 months. Once the forbearance is over, any suspended payments will need to be repaid or otherwise accounted for through a more permanent workout option. At the end of the forbearance period, we can work with you to bring your loan current through your bankruptcy plan or through other loss mitigation options as appropriate at that time. An extension of the forbearance period may also be available at that time.

Forbearance Plan Terms

Beginning on 02-01-21 and on the 1st day of each month during the term of your Forbearance Plan, your post-petition payment has been suspended. The term of your Forbearance Plan is 9 months. This is the duration through which you are eligible to have your post-petition payment suspended.

### Next Steps

If your financial situation changes during the term of your Forbearance Plan, please contact us immediately to reassess your situation and discuss potential alternatives.

Prior to the end of the forbearance plan, we will contact your counsel or yourself to discuss your situation and provide information on options that that may be available to you. Options to resolve the unpaid payments which





P.O. Box 55004  
Irvine, CA 92619  
888.504.6700 toll free  
949.341.2242 fax

[www.rushmorelm.com](http://www.rushmorelm.com)

**Address Service Requested**

may include a reinstatement, repayment plan, or loan modification. If you are unable to resolve the unpaid payments, there may be options to extend your forbearance term or options that allow you to surrender your property.

**Additional Forbearance Plan Information and Legal Notices**

We will not assess late fees during the Forbearance Plan, provided you comply with all terms of the Forbearance Plan.

We will not be reporting the delinquency status or the entry into a forbearance plan to credit reporting agencies during the term of the forbearance plan.

CREDIT REPORTING AGENCIES MAY CONSIDER WHETHER THERE IS AN INCREASED CREDIT RISK DUE TO THE LACK OF REPORTING.

During the Forbearance Plan, you may prepay the payments that have been suspended at any time without penalty.

This Forbearance Plan offer is contingent on your having provided accurate and complete information. We reserve the right to revoke this offer or terminate the plan following your acceptance if we learn of information that would make you ineligible for forbearance.

If you make any partial payments during the forbearance plan term, we will hold those payments in an account until it contains sufficient funds to pay your oldest post-petition payment. Unless required by applicable law, there will be no interest paid on the funds held in the account. If any funds are in this account at the end of the forbearance plan term, those funds will be applied to your mortgage in accordance with your mortgage documents.

Our acceptance of any payment you make during the forbearance plan does not waive our right to seek relief from the automatic stay if you remain delinquent on your post-petition payments at the end of the plan.

Entering a forbearance plan does not mean that your mortgage will be considered current.

Your current mortgage documents remain in effect; however, we are suspending your post-petition payments during the forbearance plan term. This plan does not include the forbearance or waiver of any pre-petition payments required by your Trustee as described in your bankruptcy plan.

All the terms of your current mortgage documents remain in effect during the term of the forbearance plan. Nothing in the forbearance plan shall be understood to be a satisfaction or release in whole or in part of your obligations contained in the mortgage documents.





P.O. Box 55004  
Irvine, CA 92619  
888.504.6700 toll free  
949.341.2242 fax

[www.rushmorelm.com](http://www.rushmorelm.com)

**Address Service Requested**

Rushmore is committed to helping its customers maintain homeownership. Should you have questions, please contact Rushmore Loan Management Services at 888-504-7300.

Sincerely,

Rushmore Loan Management Services LLC  
BK006 005 SJ4



### ADDITIONAL NOTICES

Rushmore Loan Management Services LLC is a Debt Collector attempting to collect a debt.

**Bankruptcy Notice.** If you are in bankruptcy or if your obligation to repay this loan was discharged in bankruptcy, this informational notice is sent to you in order to comply with statutory requirements. It is not an attempt to collect a debt. You may disregard information relating to payment remittance. You are not obligated to make payments and any amount(s) you do pay Rushmore is at your discretion. Please note, however, Rushmore reserves the right to exercise its legal rights, including but not limited to foreclosure of its lien interest, only against the property securing the original obligation.

If you have any other mortgage loans secured by the same property not serviced by Rushmore, please contact your other servicer directly to discuss any possible loss mitigation options that may be available to you.

If you are a confirmed Successor-in-Interest who has not assumed the mortgage loan obligation under State Law, this letter is being sent for information purposes only and does not constitute personal liability with respect to the debt.

**LEGAL NOTIFICATION:** Rushmore Loan Management Services LLC may report information about your account to credit bureaus. Late payments, missed payments or other defaults on your account may be reflected in your credit report.

#### Notice of Error Resolution & Information Request Procedures

The following outlines the Error Resolution and Information Request Procedures for your mortgage account at Rushmore Loan Management Services LLC (RLMS). Please keep this document for your records.

**If you think an error has occurred on your mortgage account or if you need specific information about the servicing of your loan, please write us at:**

**Rushmore Loan Management Services LLC**

P.O. Box 52262

Irvine, California 92619-2262

All written requests for information or notices of error should contain the following information:

1. Your name
2. Account number
3. Property Address
4. Description of the error and explanation as to why you believe it is an error or a request for specific information regarding the servicing of your loan
5. Current contact information so we may follow up with you

All written requests for specific information will be handled within 30 days of receipt. We will determine whether an error occurred within 30 days after receiving your notice of error and will correct any error promptly (Notices of error on payoff statements will be handled within 7 days). If additional time is needed to investigate your complaint or request, we may take up to 45 days but we will notify you of the extension within the original 30 days. If we decide that there was no error, we will send you a written explanation. You may ask for copies of the documents that we used in our investigation.

#### HUD STATEMENT

Pursuant to section 169 of the Housing and Community Development Act of 1987, you may have the opportunity to receive counseling from various local agencies regarding the retention of your home. You may obtain a list of the HUD approved housing counseling agencies by calling the HUD nationwide toll free telephone at 1-800-569-4287.

#### Equal Credit Opportunity Act Disclosure

**NOTICE:** The federal Equal Credit Opportunity Act prohibits creditors from discriminating against credit applicants on the basis of race, color, religion, national origin, sex, marital status, age (provided the applicant has the capacity to enter into a binding contract); because all or part of the applicant's income derives from any public assistance program; or because the applicant has in good faith exercised any right under the Consumer Credit Protection Act. The federal agency that administers compliance with this law concerning this creditor is the Bureau of Consumer Financial Protection, 1700 G Street NW, Washington, DC 20552 or Federal Trade Commission, Equal Credit Opportunity, Washington, DC 20580.

## STATE SPECIFIC NOTICES

### **The following notice applies to Arkansas residents only:**

Please note that Rushmore Loan Management Services LLC is licensed in Arkansas and that complaints about Rushmore Loan Management Services LLC may be submitted to the Arkansas Securities Department via the Department's website (<http://www.securities.arkansas.gov/>) or toll-free 1-800-981-4429.

### **The following notice applies to California residents only:**

The state Rosenthal Fair Debt Collection Practices Act and the federal Fair Debt Collection Practices Act require that, except under unusual circumstances, collectors may not contact you before 8:00 a.m. or after 9:00 p.m. They may not harass you by using threats of violence or arrest or by using obscene language. Collectors may not use false or misleading statements or call you at work if they know or have reason to know that you may not receive personal calls at work. For the most part, collectors may not tell another person, other than your attorney or spouse, about your debt. Collectors may contact another person to confirm your location or enforce a judgment. For more information about debt collection activities, you may contact the Federal Trade Commission at 1-877-FTC-HELP (382-4357) or [www.ftc.gov](http://www.ftc.gov).

### **The following notice applies to Colorado residents only:**

Please note: A consumer has the right to request in writing that a debt collector or collection agency cease further communication with the consumer. A written request to cease communication will not prohibit the debt collector or collection agency from taking any other action authorized by law to collect the debt.

FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE [www.coag.gov/car](http://www.coag.gov/car).

Please be advised that you can reach the Colorado Foreclosure Hotline at 1-877-601-HOPE (601-4673).

Local Rushmore Loan Management Services LLC Agent for Colorado Residents:

Irvin Borenstein  
7200 S. Alton Way, #B180  
Centennial, CO 80112  
303-309-3839

### **The following notice applies to Hawaii residents only:**

Rushmore is licensed by the Division of Financial Institutions for the State of Hawaii. A borrower may file a complaint about Rushmore Loan Management Services with the Commissioner:

**Division of Financial Institutions**  
Department of Commerce and Consumer Affairs  
King Kalakaua Building  
335 Merchant Street, Rm. 221  
Honolulu, HI 96813

### **The following notice applies to Massachusetts residents only:**

Notice of IMPORTANT RIGHTS: You have the right to make a written or oral request that telephone calls regarding your debt not be made to you at your place of employment. Any such oral request will be valid for only ten (10) days unless you provide written confirmation of the request postmarked or delivered within seven (7) days of such request. You may terminate this request by writing to the creditor.

### **The following notice applies to North Carolina residents only:**

If you believe the loss mitigation request has been wrongly denied, you may file a complaint with the North Carolina Office of the Commissioner of Banks website, [www.nccob.gov](http://www.nccob.gov).

### **RUSHMORE LOAN MANAGEMENT SERVICES LLC Branch Addresses:**

California Branch: 15480 Laguna Canyon Road, Suite 100, Irvine CA 92618

Texas Branch: 1755 Wittington Place, Suite 400, Dallas TX 75234

Oklahoma Branch: 2000 North Classen Blvd, Suite N3400, Oklahoma City, OK 73106

**Collection Agency**

CA Office License Number: **103651**

TX Office License Number: **112248**

OK Office License Number: **113559**

**The following notice applies to New York residents only:**

**NOTICE PURSUANT TO NEW YORK STATE BANKING REGULATION 419**

Rushmore is registered with the Superintendent of Banks for the State of New York. A borrower may file a complaint about Rushmore Loan Management Services with the New York State Department of Financial Services. A borrower may obtain further information from the New York State Department of Financial Services by calling the Department's Consumer Assistance Unit at 1-800-342-3736 or by visiting the Department's website at [www.dfs.ny.gov](http://www.dfs.ny.gov).

**If you believe the loss mitigation request has been wrongly denied, you may file a complaint with the New York State Department of Financial Services at 1-800-342-3736 or [www.dfs.ny.gov](http://www.dfs.ny.gov).**

NMLS Unique ID Number 185729

Please be advised that calls regarding your property insurance requirements may be answered by Southwest Business Corporation, a third party insurance producer and tracking services provider.

**The following notice applies to Texas residents only:**

**COMPLAINTS REGARDING THE SERVICING OF YOUR MORTGAGE SHOULD BE SENT TO THE DEPARTMENT OF SAVINGS AND MORTGAGE LENDING, 2601 NORTH LAMAR, SUITE 201, AUSTIN, TX 78705. A TOLL-FREE CONSUMER HOTLINE IS AVAILABLE AT 877-276-5550.**

A complaint form and instructions may be downloaded and printed from the Department's website located at [www.sml.texas.gov](http://www.sml.texas.gov) or obtained from the department upon request by mail at the address above, by telephone at its toll-free consumer hotline listed above, or by email at [smlinfo@sml.texas.gov](mailto:smlinfo@sml.texas.gov).

**The following notice applies to Oregon residents only:**

Pursuant to Oregon Revised Statutes 86A.324, the Director of the Department of Consumer and Business Services prescribed by law and pursuant to FSR 25-2020: Borrowers: The Oregon Division of Financial Regulation (DFR) oversees residential mortgage loan servicers who are responsible for servicing residential mortgage loans in connection with real property located in Oregon and persons required to have a license to service residential mortgage loans in this state. If you have questions regarding your residential mortgage loan, contact your servicer at 888-504-6700. To file a complaint about unlawful conduct by an Oregon licensee or a person required to have an Oregon license, call DFR at 888-877-4894 or visit [dfr.oregon.gov](http://dfr.oregon.gov).

**The following notice applies to Pennsylvania residents only:**

The lender shall retain a security interest in the residential real estate unless and until the debt is fully satisfied and the security interest is released.

**The following notice applies to Wisconsin residents only:**

This collection agency is licensed by the Division of Banking in the Wisconsin Department of Financial Institutions, [www.wdfi.org](http://www.wdfi.org).

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA (PHILADELPHIA)**

In Re: :  
JESSE DAVIS AND EBONY DAVIS :  
:CHAPTER 13  
Debtor. :CASE NO. 20-13888-AMC  
:

---

**CERTIFICATION OF SERVICE**

I hereby certify that service upon all interested parties, indicated below, was made by sending true and correct copies of U.S. Bank Trust National Association, as Trustee of BKPL-EG Holding Trust's notice of forbearance agreement via regular mail to:

Date Served: August 13, 2021

***Chapter 13 Trustee***  
Scott F. Waterman  
2901 St. Lawrence Ave.  
Suite 100  
Reading, PA 19606 - *Also served Via ECF Filing*

Ebony and Jesse Davis  
404 Caldwater Cir.  
Exton, PA 19341  
***Debtors***

United States Trustee  
U.S. Trustee's Office  
200 Chestnut Street  
Suite 502  
Philadelphia, PA 19106  
***US TRUSTEE- served Via ECF Filing Only***

DIANE S. TOSTA  
Diane S. Tosta, Esq.  
P.O. Box 618  
Eagleville, PA 19408  
***ATTORNEY FOR DEBTORS-Also served Via ECF Filing***

I hereby certify under penalty of perjury that the foregoing is true and correct.

Dated: August 13, 2021

/S/EMMANUEL J. ARGENTIERI  
EMMANUEL J. ARGENTIERI

ROMANO GARUBO & ARGENTIERI  
Emmanuel J. Argentieri, Esquire/59264  
52 Newton Avenue, P.O. Box 456  
Woodbury, New Jersey 08096  
(856) 384-1515  
[eargentieri@rgalegal.com](mailto:eargentieri@rgalegal.com)